

TANAKA et al  
Serial No. 09/820,819  
Amendment After Final Rejection dated June 1, 2004  
Response to Office Action of February 2, 2004

**REMARKS**

Upon entry of the present amendment, claims 2, 3, 5-9, 12, 13 and 16-19 are pending. By the present amendment, claims 2, 5 and 13 have been amended, and claims 1, 10, 14, 15 and 20-22 have been canceled without prejudice or disclaimer as to the subject matter contained therein.

Applicants appreciate the Examiner's indication that claim 12 is allowable, and that claims 2, 3, 6-9, 13 and 16-19 would be allowable if rewritten in independent form. Without acquiescing in any of the substantive rejections set forth in the Office Action, claims 2 and 13 have been rewritten in independent form and claim 5 has been amended to depend from claim 3. Claims 1, 10, 14, 15 and 20-22 have been canceled without prejudice. Accordingly all pending claims 2, 3, 5-9, 12, 13 and 16-19 are in condition for allowance.

Entry of this amendment is proper under 37 C.F.R. §1.116, because the amendments are made to put the application in condition for allowance based on subject matter indicated as being allowable in the Office Action. As such, the amendments do not raise any new issues requiring further search and/or consideration. Accordingly, entry of the amendment is proper, which action is earnestly solicited.

In view of the foregoing, it is respectfully submitted that the entire application is in condition for allowance. Favorable reconsideration of the application and prompt allowance of the claims are earnestly solicited.

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Should the Examiner deem that further issues require resolution prior to allowance, the Examiner is invited to contact the undersigned attorney of record at the telephone number set forth below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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